

F-2008-00589

(b)(6)

The National Security Archive

The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Phone: 202/994-7000
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nsarchiv@gwu.edu
www.nsarchive.org

Thursday, December 20, 2007

Scott A. Koch
Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

Re: Request under the FOIA, in reply refer to Archive# 20072235CIA327

Dear Mr. Koch :

Pursuant to the Freedom of Information Act (FOIA), I hereby request the following:

Any and all records, memos, briefs, e-mails, other correspondence, briefing materials and similar items relating in whole or in part to the disposition, preservation or destruction of video materials depicting the interrogation of detainees in the global war on terror.

These materials, covering 2002-2005, should include but not be limited to the following:

- records from the office of DCI J. Porter Goss and Deputy Director John McLaughlin;*
- records from the Office of General Counsel, including but not limited to those prepared by, addressed to, or in the custody of John A. Rizzo, Steven Hermes and Robert Eatinger;*
- records of offices dealing with congressional affairs, including but not limited to reports and/or briefings prepared for communications with or appearances before congressional committees, members of Congress and/or their staff;*
- records from offices responsible for dealing with the war on terror or al-Qaeda.*

If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable non exempt portions of documents. To permit me to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

As a representative of the news media, the National Security Archive qualifies for "representative of the news media" status under 5 U.S.C. Sec. 552(a)(4)(A)(ii)(II) and, therefore, may not be charged search and review fees. (See *National Security Archive v. U.S. Department of Defense*, 880 F.2d 1381 (D.C. Cir. 1989), *cert denied*, 110 S.Ct. 1478 (1990)). This request is made as part of a scholarly and news research project that is intended for publication and is not for commercial use. For details on the Archive's research and extensive publication activities please see our website at www.nsarchive.org.

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To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. Please notify me before incurring any photocopying costs over \$100. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call me at (202) 994-7000 or email me at foiamail@gwu.edu. I look forward to receiving your response within the twenty day statutory time period.

Sincerely yours,

[Redacted Signature]

Malcolm Byrne

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TOP SECRET

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FAX COVER SHEET

Date: Dec. 20, 2007
To: Scott Koch
Organization: CIA FOIA
From: Malcolm Byrne
Number of pages (including cover sheet) 3

If there is a problem with this transmission, please call us at
202-994-7000 as soon as possible.

Message:

FOIA request attached.

Thank you,

